(b) the names of persons figuring in these matters?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI MOHD. MAQBOOL DAR): (a) and (b) According to information available, the request of the CBI for sanction of prosecution in 58 cases is pending with various Central Government Ministries/Departments. It would not be appropriate to disclose the names of the persons involved in these cases at this stage.

Train Dacoities in Orissa

850. SHRI SANATAN BISI: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether his Ministry has conducted any enquiry about the train dacoities committed several times near Kuhudi in Khurdha Division (Orissa).

(b) whether any action has been taken against the persons incharge; and

(c) if so, what are the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI MOHD. MAQBOOL DAR): (a) to (c) No, Sir. It is for the State Government to conduct such enquiries and take further necessary action. 'Police' and 'Public Order' are State subjects as per the Seventh Schedule of the Constitution of India.

Arrest of Women at Night

851. DR. MOHAN BABU:
SHRI SANJAY DALMIA:

Will the Minister of HOME AFFAIRS be pleased to state:

(a) the established norms and procedure to arrest women at night in the country;

(b) whether Government proposed to make any amendments in the Cr.P.C. to stop the arrest of women at night; and

(c) if so, by when it is likely to be made and the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI MOHD. MAQBOOL DAR): (a) to (c) On the basis of the recommendation of the Law Commission a proposal has been made in the Code of Criminal Procedure (Amendment) Bill, 1994 introduced in the Rajya Sabha on 9th May, 1994 to insert a new sub-section (4) of section 46 Cr. P.C. with a view to prohibit arrest of a woman after sun-set and before sun-rise except in unavoidable circumstances. The Bill was subsequently referred to the Parliamentary Standing Committee on Home Affairs which considered the Bill and submitted its report.

Smuggling of children to Middle East

852. DR. MOHAN BABU: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government are aware that children are still being smuggled out from India to Middle East countries, particularly, Saudi Arabia, for begging;

(b) whether any estimate has been made of the number of children smuggled out; and

(c) if so, the steps taken to stop this trade?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI MOHD. MAQBOOL DAR): (a) to (c) According to information available, 226 children had reportedly gone to Saudi Arabia during 1996 on a pilgrimage. These children, most of them handicapped, were deported to India during 1997. Procedures have been tightened to ensure that children travelling abroad are accompanied by their parents and are not taken by unauthorised persons. Migration authorities have been specifically instructed to scrutinise particulary the documents of the handicapped children being taken to Saudi Arabia on a pilgrimage.

Action on Vohra Committee Report

853. SHRI NILOTPAL BASU: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether transparency demands that the Government publish the full Vohra Committee Report and to take action in consultation with the national parties; and

(b) if so, what steps Government have taken

in this direction?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI MOHD. MAQBOOL DAR): (a) The Vohra Committee Report already placed before the Parliament was complete in itself.

(b) The Vohra Committee Report was submitted to the Government on October 5, 1993. The Report recommended that a Nodal Cell be set up with powers to collate information/intelligence and to take stringent action against crime syndicates while ensuring that it would be immune from being exploited or influenced. The Government accordingly set up a Nodal Agency in August, 1995 under the Chairmanship of Home Secretary, the other Members being Revenue Secretary Director(IB), Director(CBI) and Secretary (R&AW). Subsequently in January 1996 Cabinet Secretary was designated as the Chairman of the Nodal Group. On 20.3.1997 the Supreme Court delivered its judgement in the PIL filed by Shri Dinesh Trivedi, MP and others relating to Vohra Committee Report. On the issue of the Nodal Agency set up in pursuance of the recommendations of the Vohra Committee Report, the Court has observed that it is only a supervisory body without having clearly delineated powers and cannot therefore, be very effective in controlling the pace and thrust of investigative efforts. In addition, while the Nodal Agency may be suited to coordinate and exchange information between different investigative agencies, its composition is such that it may not be viewed by public as completely independent or immune from pressure of every kind. For this reason, the Court has suggested that this task should be entrusted to an independent body that is capable of enjoying the complete trust and confidence of the people. The Court has observed that an institution like the Ombudsman or a Lok Pal, properly set up would command such confidence and respect. Till such time, this institution is created the Court has recommended that a High Level Committee be appointed by the President of India with the advice of the Prime Minister and after consultation with the Speaker of Lok Sabha for monitoring investigations involving the kind of nexus referred to in the Vohra Committee Report.

The observations of the Supreme Court were carefully considered by the Union Cabinet. It is noted that a Lok Pal Bill has already been introduced by the Government in the Lok Sabha which is followed up. This meets with the observation of the Supreme Court that "an institution like Lok Pal, properly set up could command such confidence and respect." While the measures to get the Lok Pal Bill passed are being followed, Government have set up a three Member Committee comprising of Shri B.G. Deshmukh, former Cabinet Secretary, Shri N.N. Vohra, Principal Secretary to PM and Shri S. V. Giri, Central Vigilance Commissioner, to (i) monitor the working of the Nodal Agency; and (ii) to examine the present structure and working of the Central Bureau of Investigation (CBI), the Enforcement Directorate and related agencies to suggest changes, if any, needed to ensure:

(i) that offences alleged to have been committed by any persons, particularly, those in positions of high authority, are registered, investigated and prosecuted fairly and expeditiously, ensuring against, inter alia, external pressure, arbitrary withdrawals or transfers of personnel, etc., and ensuring adequate protection to the personnel to effectively discharge their duties and responsibilities;

(ii) that there are sufficient checks and balances to ensure that the powers of investigations and prosecution are not misused;

(iii) that there are no arbitrary restrictions to initiation of investigations or launching of prosecution.

भ्रष्टाचार के आरोपों के अन्तर्गत गिरफ्तार किए गए पुलिस कार्मिक

854. प्रो॰ विजय कुमार मल्होत्रा: क्या गृह मंत्री यह बताने की कृपा करेंगे कि:

(क) पिछले तीन वर्षों के दौरान और चालू वर्ष में भ्रष्टाचार के आरोपों के अन्तर्गत गिरफ्तार किए गए पुलिस कार्मिकों की संख्या क्या है;

(ख) उनमें से कितने कार्मिकों को रंगे-हाथ पकड़ा गया था; और

(ग) सरकार द्वारा पुलिस विभाग में भ्रष्टाचार रोकने के लिये क्या कदम उठाए जा रहे हैं?